

REFERENCE TITLE: school district accountability; corrective action

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2358

Introduced by
Representatives Anderson, Barnes, Senator Blendu: Representatives Allen J,
Burgess, Gray C, Rosati, Yarbrough

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING
SECTION 15-241.01; RELATING TO THE DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 2, article 2, Arizona Revised Statutes,
3 is amended by adding section 15-241.01, to read:

4 15-241.01. School district accountability requirements:
5 corrective action

6 A. A SCHOOL DISTRICT THAT IS NOT MAKING ADEQUATE YEARLY PROGRESS
7 PURSUANT TO THE ACCOUNTABILITY REQUIREMENTS OF THE ELEMENTARY AND SECONDARY
8 EDUCATION ACT OF 1965, AS AMENDED (20 UNITED STATES CODE SECTIONS 2911
9 THROUGH 2952 AND 2971 THROUGH 2976) FOR TWO CONSECUTIVE ANNUAL CALCULATIONS
10 SHALL BE DESIGNATED AS A SCHOOL DISTRICT IN NEED OF IMPROVEMENT. NO LATER
11 THAN THREE MONTHS AFTER BEING DESIGNATED AS A SCHOOL DISTRICT IN NEED OF
12 IMPROVEMENT, THE SCHOOL DISTRICT SHALL PREPARE A SCHOOL DISTRICT IMPROVEMENT
13 PLAN AND BEGIN TO IMPLEMENT THE IMPROVEMENT PLAN AND ANY REVISIONS TO THE
14 PLAN IN ACCORDANCE WITH THE ACCOUNTABILITY SECTIONS OF THE ELEMENTARY AND
15 SECONDARY EDUCATION ACT OF 1965, AS AMENDED. THE DEPARTMENT SHALL ASSIST THE
16 SCHOOL DISTRICT IN THE NOTIFICATION OF PARENTS OF PUPILS WHO ARE ENROLLED IN
17 THE SCHOOL DISTRICT OF THE DESIGNATION AND IN THE NOTIFICATION OF THE MANNER
18 IN WHICH PARENTS MAY PARTICIPATE IN THE IMPROVEMENT OF THE SCHOOL DISTRICT.

19 B. THE DEPARTMENT SHALL PROVIDE ASSISTANCE TO SCHOOL DISTRICTS TO
20 REVISE THE SCHOOL DISTRICT'S IMPROVEMENT PLAN AND TO WORK WITH SCHOOLS IN
21 NEED OF IMPROVEMENT WITHIN THE SCHOOL DISTRICT. THIS ASSISTANCE SHALL
22 INCLUDE THE PROVISION OF INFORMATION AND SERVICES ON EFFECTIVE METHODS AND
23 INSTRUCTIONAL STRATEGIES SUPPORTED BY SCIENTIFICALLY BASED RESEARCH,
24 PROFESSIONAL DEVELOPMENT TO SUPPORT IMPLEMENTATION OF THOSE METHODS AND
25 STRATEGIES TO INVOLVE PARENTS OF PUPILS.

26 C. IF A SCHOOL DISTRICT IS DESIGNATED AS A SCHOOL DISTRICT IN NEED OF
27 IMPROVEMENT FOR A THIRD CONSECUTIVE YEAR, THE DEPARTMENT SHALL TAKE
28 CORRECTIVE ACTION THAT IS DESIGNED TO RESOLVE THE SCHOOL DISTRICT'S POOR
29 ACADEMIC PERFORMANCE, TO ADDRESS ANY UNDERLYING STAFFING, CURRICULUM OR OTHER
30 PROBLEMS IN THE SCHOOL DISTRICT AND TO ACHIEVE ACADEMIC PROFICIENCY FOR ALL
31 PUPILS ENROLLED IN THE SCHOOL DISTRICT. THE CORRECTIVE ACTION TAKEN BY THE
32 DEPARTMENT SHALL INCLUDE AT LEAST ONE OF THE FOLLOWING:

33 1. THE DEFERRAL OF PROGRAMMATIC MONIES OR THE REDUCTION OF MONIES
34 SPENT ON ADMINISTRATIVE MATTERS.

35 2. THE INSTITUTION AND IMPLEMENTATION OF A NEW CURRICULUM THAT IS
36 BASED ON THE ACADEMIC STANDARDS ADOPTED BY THE STATE BOARD OF EDUCATION,
37 INCLUDING THE PROVISION OF APPROPRIATE PROFESSIONAL DEVELOPMENT FOR ALL
38 RELEVANT STAFF THAT IS BASED ON SCIENTIFICALLY BASED RESEARCH AND THAT IS
39 DESIGNED TO IMPROVE THE EDUCATIONAL ACHIEVEMENT OF UNDERACHIEVING PUPILS.

40 3. THE REPLACEMENT OF ANY SCHOOL DISTRICT PERSONNEL WHO ARE
41 RESPONSIBLE FOR THE FAILURE TO MAKE ADEQUATE YEARLY PROGRESS.

42 4. THE REMOVAL OF PARTICULAR SCHOOLS FROM THE JURISDICTION OF THE
43 SCHOOL DISTRICT AND THE ESTABLISHMENT OF ALTERNATIVE ARRANGEMENTS FOR THE
44 GOVERNANCE AND SUPERVISION OF THOSE SCHOOLS BY OTHER PUBLIC ENTITIES.

- 1 5. THE APPOINTMENT OF A RECEIVER OR A TRUSTEE BY THE DEPARTMENT TO
2 ADMINISTER THE OPERATIONS OF THE SCHOOL DISTRICT.
- 3 6. THE ABOLITION OR RESTRUCTURING OF THE SCHOOL DISTRICT.
- 4 7. THE AUTHORIZATION OF PUPILS TO TRANSFER FROM A SCHOOL OPERATED BY
5 THE SCHOOL DISTRICT TO A DIFFERENT PUBLIC SCHOOL OPERATED BY A DIFFERENT
6 SCHOOL DISTRICT IN ACCORDANCE WITH THE ELEMENTARY AND SECONDARY EDUCATION ACT
7 OF 1965, AS AMENDED. A SCHOOL DISTRICT THAT HAS BEEN DESIGNATED A SCHOOL
8 DISTRICT IN NEED OF IMPROVEMENT SHALL EITHER PROVIDE TRANSPORTATION TO THE
9 NEW SCHOOL OR REIMBURSE THE OTHER SCHOOL DISTRICT FOR THE COSTS OF
10 TRANSPORTING THOSE PUPILS.
- 11 D. THE DEPARTMENT MAY INITIATE CORRECTIVE ACTION PURSUANT TO THIS
12 SECTION AT ANY TIME AFTER THE INITIAL DETERMINATION THAT THE SCHOOL DISTRICT
13 IS IN NEED OF IMPROVEMENT, EXCEPT THAT THE DEPARTMENT SHALL NOT IMPLEMENT
14 CORRECTIVE ACTION AGAINST A SCHOOL DISTRICT UNTIL THE DEPARTMENT HAS PROVIDED
15 WRITTEN NOTIFICATION TO THE SCHOOL DISTRICT OF THE DEPARTMENT'S INTENT TO
16 TAKE CORRECTIVE ACTION AGAINST THE SCHOOL DISTRICT. THE SCHOOL DISTRICT
17 GOVERNING BOARD MAY FILE A WRITTEN REQUEST FOR A HEARING WITH THE STATE BOARD
18 OF EDUCATION WITHIN FORTY-FIVE DAYS AFTER RECEIVING THE NOTIFICATION. THE
19 HEARING SHALL BE CONDUCTED IN ACCORDANCE WITH TITLE 41, CHAPTER 6, ARTICLE 6.